REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-4 and 6-10 are all the claims pending in the application. In response to the Office

Action, Applicant respectfully submits that the claims define patentable subject matter.

I.   Overview of the Office Action

Claims 1, 2, 6-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Peeters (U.S. Patent No. 6,947,372) in view of Anne et al. (U.S. Patent Application Publication

No. 2003/0081741, hereafter "Anne") and Veres et al. (U.S. Patent no. 4,654,783, hereafter

"Veres"). Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Peeters in

view of Anne and Veres and further in view of Spruyt et al. (U.S. Patent No. 6,088,386,

hereafter "Spruyt"). Claim 4 is objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

II.   Prior Art Rejections

The Examiner alleges that Peeters discloses all of the features of independent claim 1 and

analogous independent claims 8, 9, and 10 except for the feature "wherein said processor-system

performs an initialization step for initiating software to be run via said processor-system and/or a

reading step for reading a software part at an address in a memory, and/or a first detection step

for detecting a first instruction, and/or a second detection step for detecting a second instruction,

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and/or a third detection step for detecting an execution, and/or an execution step for performing

at least one execution", as recited in independent claim 1 and analogously recited in independent

claims 8-10. The Examiner thus relies on Anne to allegedly cure this conceded deficiency.

Applicant respectfully disagrees with the Examiner's position.

Peeters teaches a multi-carrier communication system where digital data is transferred bi-

directionally in a Very High Speed Digital Subscriber Line (VDSL) system (column 4, lines 20-

27). The Examiner appears to broadly read the claimed processor system and hardware on the

line termination VDSL (VDSL_LT) in FIG. 2). Peters also teaches that the VDSL_LT

comprises a phase locked loop (FIG. 2), wherein the modem circuit (which the Examiner appears

to broadly read on VDSL_LT) exchanges signals with another modem circuit (VDSL_NT)

(column 4, lines 20-30). Peeters further teaches that the VDSL_LT comprises filter software

(FIG. 2), and the hardware, which the Examiner appears to read on the phase rotor (ROT)

compensates for sample processing (column 6, lines 22-35).

Anne generally discloses a networking modem capable of full duplex communication

over a telephone line, and adapted for use as a component of a computer system. The modem

comprises a digital signal processor (DSP)capable of implementing digital modulation and

demodulation techniques. The DSP implements a digital phase locked loop (DPLL) to

synchronize local demodulation timing to an incoming carrier signal (the Abstract).

The Examiner asserts that Anne discloses "an initialization step for initiating software to be run via said processor-system", and cites paragraph [0036] of Anne as allegedly disclosing this feature of the claim. However, this cited portion of Anne discloses system initialization of a <u>computer</u> and not initialization of the <u>modem</u> as claimed. Applicant respectfully submits that there is no teaching or suggestion in Anne or any of the other cited references that processor-system of the <u>modem</u> performs an initialization step for initiating software to be run via said processor-system and/or a reading step for reading a software part at an address in a memory, and/or a first detection step for detecting a first instruction, and/or a second detection step for detecting a second instruction, and/or a third detection step for detecting an execution, and/or an execution step for performing at least one execution, as claimed.

Accordingly, Applicant respectfully submits that independent claim 1 and analogous independent claims 8-10 should be allowable because the cited references do not teach or suggest all of the features of the claims. Claims 2-4, 6, and 7 should also be allowable at least by virtue of their dependency on independent claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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